



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

JUN 13 2003

Mr. Harold Aranow
Patrick J. Kelly Drums, Inc.
6226 Pidcock Creek Road
New Hope, Pennsylvania 18938

Ref. No.: 03-0066

Dear Mr. Aranow:

This responds to your letter regarding the requirements for container closure notification information as prescribed in §178.2 under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you asked that the written notification requirement be amended to include a provision that would allow notification in electronic format on a CD Rom.

In accordance with the notification provision in § 178.2(c), the manufacturer and each subsequent distributor of a UN packaging must provide written notification instructions of all regulatory requirements not met at the time of transfer, such as instructions on how to properly assemble and close a packaging (e.g., UN 4G fiberboard box). Therefore, **written** (i.e., hard copy) notification must be provided to be in compliance with the provisions of § 178.2(c). An electronic format, such as a CD Rom, may be used as a supplement to the written notification.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



030066

178.2(c)



PATRICK J. KELLY DRUMS, INC.

6226 Pidcock Creek Road

New Hope, Pennsylvania 18938 ■ (215) 598-0666

Engrum
§ 178.2(c) 1

Applicability
03-0066

Patrick J. Kelly
President

Lisa A. Kelly
Vice President/Secretary

Mr. Edward Mazzulo
Director: Office of Hazardous Materials Standards
400 7th Street S. W.
Washington, DC 20590

Re: USDOT/RSPA/DHM 10

Dear Mr. Mazzulo;

Our Company would like to know if the Hazardous Material Regulations requiring Container Closure Notification information be in writing can amended to include that notification could be contained on a CD in electronic format.

I have several customers that have requested us to provide this information on a CD Rom. They feel that by having the data on a disc and putting this information on several computers, more people will have access and therefore utilize the data. These customers will also be notified that if they want a hard copy we will supply them with one.

All customers will be notified that they have a choice of being supplied with the required data either written or in electronic format.

What I am actually requesting is that if this information is given on a CD am I still in compliance with 178.2 (c) 1.

If you need further information, please do not hesitate to contact me.

Sincerely,
Patrick Kelly Drums, Inc.


Harold Aranow

"You can't beat our drums ..."